

### **REMARKS/ARGUMENTS**

Claims 1 and 3-14 are pending. By this Amendment, claims 1, 3, 6, 8 and 9 are amended, and claims 2 and 7 are canceled. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Applicants appreciate that claims 6-10 have been rejoined with the elected group of claims 1-5. In addition, Applicants request that at least dependent claims 11 and 12 be rejoined since claim 1 has been placed into allowable form based on the remarks.

Claims 1-10 were rejected under 35 U.S.C. §102(b) over Wenzhi (U.S. Patent No. 5,589,069). This rejection is respectfully traversed.

In the Office Action, it is stated that “the coating layer is formed by an alkyl-group (column 6, lines 38-45), thus the surface bonding is formed by a covalent bond.” However, Wenzhi does not teach or suggest zwitterionic groups that are grafted on the particle as recited in claim 1. Wenzhi (column 6, lines 31-33) mentions that “the zwitterionic layer may be directly formed on the carrier to be used, through chemical reaction or physical adsorption.” However, except for this passage, Wenzhi is silent regarding covalently binding zwitterionic groups to carriers. Instead, Wenzhi discloses manners of physically adsorbing zwitterionic groups to carriers covered with an alkylsilane layer. There is no disclosure in Wenzhi about any specific way of covalently bonding zwitterionic groups to a carrier, including grafting methods. Therefore, amended claim 1 is not anticipated by Wenzhi.

In addition, by grafting zwitterionic monomers on silica carriers, it is possible to produce a stable HILIC stationary phase with an exact charge balance which phase has excellent separation characteristics as is shown in the experimental part of the present description. As all phases disclosed by Wenzhi comprise zwitterionic molecules that have been physically adsorbed

JIANG et al.  
Appl. No. 10/710,937  
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on carriers, these phases cannot be regarded as stable. There is also no discussion in Wenzhi about binding groups covalently, such as by grafting them on the carrier surfaces. Accordingly, the subject matter of claim 1 cannot be regarded as obvious in relation to Wenzhi.

Reconsideration and withdrawal of the rejection are respectfully requested.

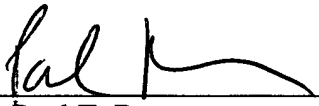
In view of the above amendments and remarks, Applicants respectfully submit that all the claims are patentable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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